

JUDGE RAMOS

17 CV 5731

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Helen So

Write the full name of each plaintiff.

-against-
Corporation for Supportive Housing

Joy Granado

Write the full name of each defendant. The names listed
above must be identical to those contained in Section I.

CV
(Include case number if one has been
assigned)

Do you want a jury trial?

☒ Yes ☒ No

EMPLOYMENT DISCRIMINATION COMPLAINT

NOTICE

The public can access electronic court files. For privacy and security reasons, papers filed with the court should therefore *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number. See Federal Rule of Civil Procedure 5.2.

I. PARTIES**A. Plaintiff Information**

Provide the following information for each plaintiff named in the complaint. Attach additional pages if needed.

Helen		So
First Name	Middle Initial	Last Name
117 Birch Road		
Street Address		
Staten Island,	NY	10303
County, City	State	Zip Code
(917)657-3762	hso16888@ymail.com	
Telephone Number	Email Address (if available)	

B. Defendant Information

To the best of your ability, provide addresses where each defendant may be served. If the correct information is not provided, it could delay or prevent service of the complaint on the defendant. Make sure that the defendants listed below are the same as those listed in the caption. (Proper defendants under employment discrimination statutes are usually employers, labor organizations, or employment agencies.) Attach additional pages if needed.

Defendant 1:	Corporation for Supportive Housing		
	Name		
	61 Broadway, Suite 2300		
	Address where defendant may be served		
	New York,	NY	10006
	County, City	State	Zip Code
Defendant 2:	Joy Granado		
	Name		
	61 Broadway, Suite 2300		
	Address where defendant may be served		
	New York,	NY	10006
	County, City	State	Zip Code

Defendant 3:

Name

Address where defendant may be served

County, City

State

Zip Code

II. PLACE OF EMPLOYMENT

The address at which I was employed or sought employment by the defendant(s) is:
Corporation for Supportive Housing

Name
61 Broadway, Suite 2300

Address
New York,

NY

10006

County, City

State

Zip Code

III. CAUSE OF ACTION

A. Federal Claims

This employment discrimination lawsuit is brought under (check only the options below that apply in your case):

- ☐ **Title VII of the Civil Rights Act of 1964**, 42 U.S.C. §§ 2000e to 2000e-17, for employment discrimination on the basis of race, color, religion, sex, or national origin

The defendant discriminated against me because of my (check only those that apply and explain):

- ☐ race: _____
- ☐ color: _____
- ☐ religion: _____
- ☐ sex: _____
- ☐ national origin: _____

- ☐ **42 U.S.C. § 1981**, for intentional employment discrimination on the basis of race

My race is: _____

- ☒ **Age Discrimination in Employment Act of 1967**, 29 U.S.C. §§ 621 to 634, for employment discrimination on the basis of age (40 or older)

I was born in the year: 1956

- ☐ **Rehabilitation Act of 1973**, 29 U.S.C. §§ 701 to 796, for employment discrimination on the basis of a disability by an employer that constitutes a program or activity receiving federal financial assistance

My disability or perceived disability is: _____

- ☐ **Americans with Disabilities Act of 1990**, 42 U.S.C. §§ 12101 to 12213, for employment discrimination on the basis of a disability

My disability or perceived disability is: _____

- ☐ **Family and Medical Leave Act of 1993**, 29 U.S.C. §§ 2601 to 2654, for employment discrimination on the basis of leave for qualified medical or family reasons

B. Other Claims

In addition to my federal claims listed above, I assert claims under:

- ☒ **New York State Human Rights Law**, N.Y. Exec. Law §§ 290 to 297, for employment discrimination on the basis of age, race, creed, color, national origin, sexual orientation, military status, sex, disability, predisposing genetic characteristics, marital status
- ☒ **New York City Human Rights Law**, N.Y. City Admin. Code §§ 8-101 to 131, for employment discrimination on the basis of actual or perceived age, race, creed, color, national origin, gender, disability, marital status, partnership status, sexual orientation, alienage, citizenship status
- ☐ Other (may include other relevant federal, state, city, or county law):

IV. STATEMENT OF CLAIM

A. Adverse Employment Action

The defendant or defendants in this case took the following adverse employment actions against me (check only those that apply):

- ☐ did not hire me
- ☒ terminated my employment (*constructive termination*)
- ☐ did not promote me
- ☐ did not accommodate my disability
- ☐ provided me with terms and conditions of employment different from those of similar employees
- ☐ retaliated against me
- ☒ harassed me or created a hostile work environment
- ☐ other (specify): _____

B. Facts

State here the facts that support your claim. Attach additional pages if needed. You should explain what actions defendants took (or failed to take) *because of* your protected characteristic, such as your race, disability, age, or religion. Include times and locations, if possible. State whether defendants are continuing to commit these acts against you.

See attached.

As additional support for your claim, you may attach any charge of discrimination that you filed with the U.S. Equal Employment Opportunity Commission, the New York State Division of Human Rights, the New York City Commission on Human Rights, or any other government agency.

V. ADMINISTRATIVE PROCEDURES

For most claims under the federal employment discrimination statutes, before filing a lawsuit, you must first file a charge with the U.S. Equal Employment Opportunity Commission (EEOC) and receive a Notice of Right to Sue.

Did you file a charge of discrimination against the defendant(s) with the EEOC or any other government agency?

☒ Yes (Please attach a copy of the charge to this complaint.)

When did you file your charge? July 6, 2016

☐ No

Have you received a Notice of Right to Sue from the EEOC?

☒ Yes (Please attach a copy of the Notice of Right to Sue.)

What is the date on the Notice? May 3, 2017

When did you receive the Notice? May 11, 2017

☐ No

VI. RELIEF

The relief I want the court to order is (check only those that apply):

- ☐ direct the defendant to hire me
- ☐ direct the defendant to re-employ me
- ☐ direct the defendant to promote me
- ☐ direct the defendant to reasonably accommodate my religion
- ☐ direct the defendant to reasonably accommodate my disability
- ☒ direct the defendant to (specify) (if you believe you are entitled to money damages, explain that here)
pay front pay, back pay, benefits, damages for pain and suffering

VII. PLAINTIFF'S CERTIFICATION

By signing below, I certify to the best of my knowledge, information, and belief that: (1) the complaint is not being presented for an improper purpose (such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation); (2) the claims are supported by existing law or by a nonfrivolous argument to change existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Federal Rule of Civil Procedure 11.

I agree to notify the Clerk's Office in writing of any changes to my mailing address. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Each Plaintiff must sign and date the complaint. Attach additional pages if necessary. If seeking to proceed without prepayment of fees, each plaintiff must also submit an IFP application.

<u>7/28/17</u>		<u>Helen So</u>	
Dated		Plaintiff's Signature	
Helen		So	
First Name	Middle Initial	Last Name	
117 Birch Road			
Street Address		NY	10303
Staten Island,			
County, City	State	Zip Code	
(917)657-3762		hso16888@ymail.com	
Telephone Number		Email Address (if available)	

I have read the attached Pro Se (Nonprisoner) Consent to Receive Documents Electronically:

☒ Yes ☐ No

If you do consent to receive documents electronically, submit the completed form with your complaint. If you do not consent, please do not attach the form.

FACTS

1. Helen So worked at Corporation for Supportive Housing from February 17th, 2010 to August 2nd, 2016.
2. So was an accountant and her job description included analyzing financial data, managing contracts/grants and budgeting financial reports.
3. On March 1st, 2011, So was promoted as the Manager of Financial Reporting & Budgeting when previous manager, Armine Arustamyan left.
4. On April 25th, 2011, Joy Granado was hired as the Controller and So's supervisor.
5. On June 27th, 2011, Granado hired Deepa Kublal as the Senior Accountant. Kublal joined So on the financial team as a fellow colleague.
6. On January 6th, 2014, Granado changed So's job title from Manager to Budget & Financial Reporting Analyst. As a result, So's salary decreased.
7. Granado exhibited discriminatory animus against older individuals, specifically against So.
8. So's date of birth is June 18th, 1956.
9. During a staff retreat dinner on June 8th, 2015, Ms. So was sitting at a table with Granado, Kublal, and three other employees. Granado turned to Betsy Bentio, the Director for the Illinois office, and said, "there is one person here in my department who is older than me." Joy continued to repeat her statement to Betsy as if she wanted Betsy to guess. Betsy looked at So. This embarrassed So and singled her out. It was evident that So was the oldest because the rest of the employees at the table were in their thirties. So was 59 years of age at the time of the staff retreat dinner.

10. On November 16th, 2015, So and Kublal was in Granado's office. After Kublal left the office, Granado told So that she would be giving work to Kublal instead of So because Kublal was younger.
11. As a result of the discriminatory animus toward older individuals, Granado discriminated against So, subjecting her to adverse employment events.
12. Granado treated Ms. So's requests for time off differently and less favorably than she treated younger employees requests for time off.
13. In April 2016, So asked for time off of work for back and neck pain. Granado required So to go through a long process to take time off. However, Granado did not require any other employees, all of whom were in their thirties, to go through a process to take time off from work. Other employees, who were younger, merely had to place their name on the work calendar. Granado unreasonably required Ms. So to go through a process to get time off that was not required of other, younger employees, due to Ms. Granado's discriminatory animus for older individuals.
14. An additional account, Granado also required Ms. So to do more work than other, younger employees.
15. On May 6, 2016, Granado sent So and Kublal an email stating that starting July 1st, 2016, the Ohio account would become Ms. So's responsibility.
16. On May 8th, 2016, So did an analysis and emailed Ms. Granado stating that as a result of adding the Ohio account, her workload would be unreasonable and the work would not be distributed evenly. Ms. So would have over 41 grants and 29 contracts where Kublal would only have 25 grants and 16 contracts.

17. On May 8th, 2016, So also emailed human resources explaining the unreasonable amount of work assigned to her
18. On May 9th, 2016, Granado replied to So's email stating that her analysis shows So having the least amount of revenue and approximately the same number of projects as the other analysts.
19. On May 10th, 2016, So replied to Granado's email stating that the amount of work cannot be based on revenue but should be based on the number of contracts/grants assigned to each analyst because more work is required when dealing with contracts. The amount of revenue coming in should not be a factor when analyzing the amount of work assigned. So also explained that the numbers got shifted on the excel spread sheet when Granado did her analysis. As a result, her analysis was wrong.
20. Granado unreasonably gave So more work than Kublal, due to Granado's animus for older individuals. Kublal was in her 30's. Granado was setting So up to fail. It would be impossible to do all the work effectively and timely.
21. As a result of Granado's treatment toward So, So became highly stressed and began to have suicidal thoughts. The Doctor diagnosed her as having depression, anxiety, and PTSD. So was prescribed medication. So continues to take medication and attend bi-weekly visits to both a doctor and a therapist.
22. In May 2016, human resources began to conduct an investigation on So's age and race discrimination claims. Human resources conducted interviews with employees from May 12th, 2016 through May 25th, 2016. However, Kublal was never interviewed because she was on vacation during the investigation. Kublal was one of the few employees who knew about Granado's mistreatment of So.

23. On May 26th, 2016, human resources concluded that nothing was found in support of So's discrimination claims.
24. Around June 2016, in an effort to assist So and Granado to work together productively, human resources began to require So to attend weekly meetings with Granado to provide Granado with updates on her projects, with Ethel Coffinas, the director of human resources, in attendance. The meetings made So feel uncomfortable because no other employee had to attend such meetings.
25. At the end of July 2016, So's physician told So to take time off of work due to her depression, anxiety, and PTSD.
26. On August 2nd, 2016, Coffinas called So into her office to discuss So's doctors note and her experience with Granado. August 2nd, 2016 was So's last day of work because So could no longer handle Granado's terrible treatment toward her. Granado's mistreatment of So constituted constructive termination.



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
New York District Office

Patrick Sanford
Federal Investigator
Phone (212) 336-3677
Fax (212) 336-3624

33 Whitehall Street, 5th Floor
New York, NY 10004-2112
For General Information: (800) 669-4000
TTY: (800)-669-6820
District Office: (212) 336-3620
General FAX: (212) 336-3625

July 11, 2016

Via U.S. Mail

Helen So
117 Birch Road
Staten Island, NY 10303

Re: **Helen So v. Corporation for Supportive Housing**
EEOC Charge No. : 520-2016-02257

Dear Ms. So:

The United States Equal Employment Opportunity Commission ("EEOC" or "Commission") has received the Charge of Discrimination ("Charge") that you have filed with the EEOC against Corporation for Supportive Housing ("Respondent"). Based upon the information you have submitted, the Commission has decided to continue its investigation of your allegations of employment discrimination.

In order to move forward with our investigation, the EEOC has mailed a copy of your Charge to the Respondent and we have requested that it submit a written response ("Position Statement") to your allegations of employment discrimination to the Commission.

Once the Position Statement has been received and analyzed by the EEOC, a copy of the Position Statement will be mailed to you by the Commission to give you the chance to see what information/documents the Respondent submitted to the EEOC in response to your Charge. The Commission will then give you an opportunity to submit a written rebuttal to the Respondent's Position Statement to the EEOC.

If you have not received a copy of Respondent's Position Statement from the Commission by **September 7, 2016**, please contact me regarding the status of the EEOC's investigation of your Charge. My e-mail address is **Patrick.Sanford@eeoc.gov**.

Sincerely,

A handwritten signature in black ink, appearing to read "Patrick Sanford", is written over a horizontal line.

Patrick Sanford
Federal Investigator

5 (11/09)

CHARGE OF DISCRIMINATION

This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.

Charge Presented To:

Agency(ies) Charge No(s):

☐ FEPA
☒ EEOC
520-2016-02257**New York State Division of Human Rights**

and EEOC

State or local Agency, if any

Name (Indicate Mr., Ms., Mrs.)

Ms. Helen So

Home Phone (Incl. Area Code)

718-698-5933

Date of Birth

06-18-1956

Street Address

City, State and ZIP Code

117 Birch Road, Staten Island, NY 10303

Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)

Name

Corporation for Supportive Housing

No. Employees, Members

100+

Phone No. (Include Area Code)

212-986-2966

Street Address

City, State and ZIP Code

**50 Broadway - Suite 2300
61st Floor, New York, NY 10004 10006**

Name

No. Employees, Members

Phone No. (Include Area Code)

Street Address

City, State and ZIP Code

DISCRIMINATION BASED ON (Check appropriate box(es).)

☒ RACE ☐ COLOR ☐ SEX ☐ RELIGION ☐ NATIONAL ORIGIN
☐ RETALIATION ☒ AGE ☐ DISABILITY ☐ GENETIC INFORMATION
☐ OTHER (Specify)
DATE(S) DISCRIMINATION TOOK PLACE
Earliest Latest**06-30-216**☒ CONTINUING ACTION

THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)):

 EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
 NEW YORK DISTRICT OFFICE

JUL 08 2016

DATE RECEIVED

See Attached Pages
 RECEIVED
 JUL - 8 PM 2:11
 EEOC
 NEW YORK DISTRICT OFFICE

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

I declare under penalty of perjury that the above is true and correct.

NOTARY - When necessary for State and Local Agency Requirements

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT

☒SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE
(month, day, year)**07/06/2016**
 EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
 NEW YORK DISTRICT OFFICE

JUL 08 2016

DATE RECEIVED

**PAGE 1 OF 5
COPY**
 JOHN W V WORK
 Notary Public - State of New York
 NO. 01W05220141
 Qualified in Westchester County
 My Commission Expires Jun 16, 2018

Charge of Discrimination
(Race & Age Discrimination)

I, Helen So (female/age 59), is employed by Corporation for Supportive Housing as a Senior Accountant from February 10, 2010. I was promoted to Manager, Financial Reporting & Budgeting in 2011 after my manager, Armine Arustamyan left. In January 2014 the manager title was eliminated and currently I have the title of Budget Financial & Reporting Analyst. The key role of the position is on budgeting, reporting/invoicing and all accounting functions for the Central Region and the Community Investment Team. The Central Region consist of the Central Admin staffs, the Illinois office, Indian office, Michigan office, Minnesota office, and the Texas office.

In December 20, 2012 - I was called into David Provost(CFO) office to go over the accrual revenue. Joy had everything prepared, she printed out of an excel file labeled and numbered and with a pile of general ledger reports. I was accused of errors that were not my fault.

January 14, 2013 - I was given a written warning/probation memo and put on a **three months** probation. I got blamed for mistakes that weren't my fault as we found errors while cleaning up old accounts and work from previous co-workers.

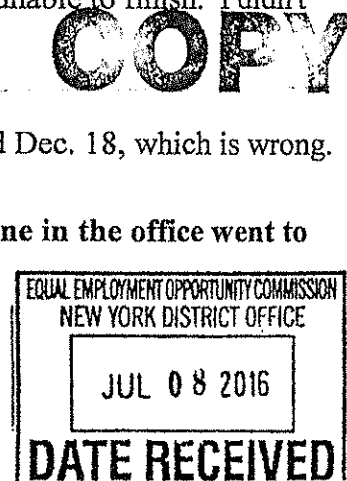
Then on April 2, 2013 - I was given an extended probation memo. I was put on another probation period from 3/20/13 - 6/30/13.

April 25, 2013 - I took the day off to make arrangements for my daughter's wedding, and also had a doctor's appointment that day. Then I got into this car accident. I feared taking off from work as I was afraid of losing my job, because I was still on probation. It was very difficult for me to leave early for doctor's appointments. This is the primary reason why I am still in pain, because I didn't take care of it right away. I went to work and dealt with the pain. Last year, the doctor took X-Rays and told me my spine & neck are crooked. Requesting time off was very difficult even for regular doctor's appointments.

Joy gives me unrealistic deadlines to meet. There were over 41 accounts to review. She wanted an analysis of each project and write an explanation of why it was not clean. She told me I have to get it ready by the 12/26/12, that's the day after Christmas and she and I had posted in the calendar that we will be out. I start analyzing the projects and the work is very time consuming. I had to go back to the history of each project to see what went wrong, and to find the errors took some time. As you can see the timeline below, I didn't even go to the holiday party, I'd stayed behind and did work and also worked on the weekends, but still I was unable to finish. I didn't want to do sloppy work.

Timeline

- 12/20/12 (Thurs.) - Meeting with David & Joy. The memo said Dec. 18, which is wrong. Thurs was 12/20/12.
- 12/21/12 (Fri.) - **Holiday Party (Stayed and worked. Everyone in the office went to the holiday party except me. I felt I'm being punished.**



- 12/24/12 (Mon.) - **Half Day (Office closed at 2pm)**
- 12/25/12 (Tue.) - **Christmas Day (Office closed)**
- 12/26/12 (Wed.) - **Personal Day (Joy, Deepa and I took off the day after Christmas).**
Time off was posted on the Finance calendar.

I felt a lot of pressure. I decided not to go to the holiday party so I can continue my work because of this ridiculous deadline. Later I found out that Joy wanted me to go over the spreadsheet with her before she met with David. The appointment was on 12/28/12, I rushed like crazy so I could finish this on time. I went to David on this and he said he knows that it is a lot and to do what I can for the meeting. I got written up for this because of this unrealistic deadline.

Joy is constantly looking for me to make mistakes. She would blame me for things that's not my fault.

March 8, 2013 - Meet with Yvonne Bennett (Account Manger) & Joy to go over grant releases in Joy's office. Joy kept saying that it could be my mistake that Yvonne and my numbers don't match. Yvonne said it's more likely that it is her mistake because her data are manually entered, and my numbers run from a query from Financial Edge. (My data is from the system so I have to match Yvonne's number and there were discrepancy, so we have to see why, but right away Joy insisted that it was my mistake.) Joy is looking for me to make mistakes. She is giving me a lot of pressure. Joy kept insisting that it was my mistake.

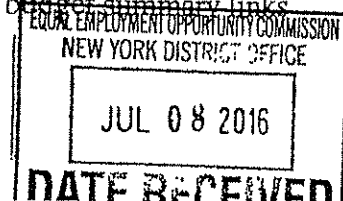
Later I went to Yvonne's office and she told me that she noticed that Joy kept insisting that it was my mistake, and that wasn't right.

January 21, 2015 - Joy asked me to post a GL entry for the accrual pension expenses. She gave me the amount to enter, it was for \$101,713.26 for the pension accrual, so I entered it and later she came out of her office and said **I made a mistake, and that I entered it twice.** I looked confused, I told her that I just did what you told me and just entered it, how can it be twice. It was close to 5:00pm so Joy left. I did a little research and realized that Malika Edinborough (Junior Accountant) had entered the same amount the day before. I then sent Joy an email and explained to her that Malika had entered this yesterday. Her batch number was #427, and my batch was #443., and so I have to do a reversed entry. The next day Joy wrote on the GL sheet that it was a double entry made by Malika & Helen and signed it. She's always blaming someone else for her mistake. I did not even get an apology or anything. I don't understand how someone can forget a posting of such a large amount, and especially it was only a day ago, not like it was a month or two months ago.

November 15, 2015 - Joy had asked me to start working on the budget summary link on Monday, 11/16/15, she said she has a meeting with David on Tuesday 11/17/15 to go over the budget summary. I took it upon myself and worked on the budget summary early. I started working on the link on Thursday, 11/12/15, so that if there are mistakes I would have time to fix it. She said there are still changes in the budget so I should wait till Monday to start to work on it. The sheets are link so if they make changes on the budget sheets it would make changes on my summary sheets. Luckily I took it upon myself and started on the budget summary links.

COPY

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early. This is the first time since I worked here at CSH that the budget summary sheets were prepared so early. Otherwise, I would get blamed for it if it was late.

I feel there is age discrimination against me, because there was an incident I was at Joy's office and she said to give Deepa something to do and she stated that Deepa's young. (I don't understand how those two are relevant)

June 8 -10, 2015(Staff Retreat)

At the Staff Retreat dinner at ACE Eat and Serve - 6:30pm

Sitting at the table was Joy and next to her was Betsy Bentio (Director for the Illinois office). Opposite to her and Betsy, was me, Deepa, Tanuja and Rosa. It was a big table (Ping Pong table) with others around but I don't think they heard. Joy said to Betsy "There's one person here in my department that's older than me". Betsy gave a look and Joy said it again, she wanted Betsy to guess, so I kind of think it's very obvious that it's me. I felt that, it was really necessary, and she made me feel very uncomfortable. I feel it was very inappropriate for her to discuss my age and single me out in such a manner.

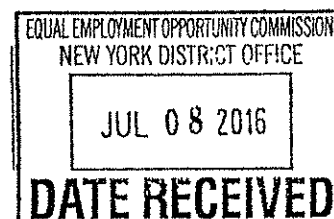
And then before Deepa joined CSH, there was a Chinese lady that came to apply for the position. Yvonne Bennett liked her and said she would work out well. At that time we were using Access and Yvonne said she has the skill. Joy made a face and at that moment I feel she did not like her because she is Chinese. I'm Chinese and I always felt that I was always treated differently. I don't know what other reason that would make her dislike me. That's why she is always criticizing me, treating me unfairly, and constantly singling me out and picking on me. I know she wants to bring in her own people to work at CSH, because Deepa had told me she worked with Joy before from her previous job. I don't think Joy treated the other candidates equally, she did not give them a fair chance.

I don't understand what other reason she has against me. Joy wants me to leave and she is making it very difficult for me to work in such an environment. I was so depressed I even went to therapy for my depression. I told my therapist that I really like my job and it was only the supervisor that was giving me a hard time. I enjoy my job. I like CSH, and I was planning to work here till retirement. My therapist asked me to weigh it against everything else, and so I stayed and tolerated with the abuse because I wanted to keep my job. I didn't want to leave. This time is different, with the additional workload, I will not be able to perform effectively and this will be the reason to get me to leave.

March 2, 2016, my request for PTO was approved and they attached a memo along with the email.

April 29, 2016, I've written my comments to the PTO request memo.

May 6, 2016, Joy sent me & Deepa an email and stated that starting July 1st, Ohio will be my responsibility. I sent Joy an email and did some analysis on all the active projects. I wanted to show them that my workload is extremely heavy. The workload is not distributed evenly among the four analysts and with the additional Ohio location, I will have over 70 grants/contracts (not counting general).



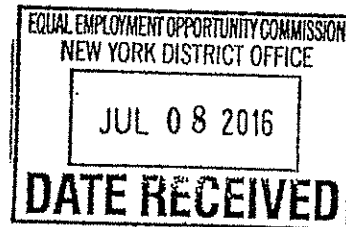
I feel I am single out because there are incidents when we need to call our consultant with help on the implementation of our accounting system. All the other analysts can just pick up the phone and call Bryan, while I have to get permission to make a call. Joy told me several times not to call Bryan, but I see the others can just pick up the phone and call him. She does not want me to learn so that I will fail. She also gives me unrealistic deadlines to meet so that I will fail (as stated above).

I have been treated differently by Corporation for Supportive Housing and subjected to different term & conditions of employment on the basic of my race and age, in violations of Title VII of the Civil Rights Act of 1964 and the Age Discrimination in Employment Act of 1967.

I swear or affirm that under the penalty of perjury that I have read the above charge of discrimination and that it is true and correct to the best of my knowledge, information and belief.

X *Aden So*

Your Signature



COPY



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
New York District Office

33 Whitehall Street, 5th Floor
New York, NY 10004-2112
District Office: (212) 336-3620
TTY (212) 336-3622

Ashraf Ahmed
Federal Investigator

Ms. Helen So
117 Birch Road
Staten Island, New York 10303

Re: So v. Corporation For Supportive Housing
EEOC Charge No. 520-2016-02257

Dear Ms. So:

The U.S. Equal Employment Opportunity Commission (hereinafter referred "Commission") has reviewed above-captioned job discrimination complaint according to case prioritization procedures surrounding open investigations. Consequently, the Commission focuses available staff resources only on those cases most likely to result in violation determination(s) of laws it enforces.

In accordance with such standards, the Commission evaluated said charge based upon factual information and/or investigative evidence collected. Pursuant to this evaluation, the Commission can not conclude that you were subjected to an adverse employment action (i.e., extended probationary period) motivated by discriminatory animus as defined under the Commission's guidelines and federal law.

In sum, the charge alleges that Respondent, Corporation For Supportive Housing, discriminated against you on account of age (now 59) and race (Asian) nexus to both assignments of unmanageable project deadlines along with being issued "performance warnings" since 2013.


Based on an analysis and assessment of relevant submitted information, including human resources files, the Commission is unable to conclude that a violation of Federal law on the part of Respondent occurred. This does not certify Respondent complies with applicable anti-discrimination statutes; no finding is made as to any other issue that might be construed as having been raised by this charge. Notably, to date, you continue to be gainfully-employed therein at the capacity of full-time Financial Reporting Analyst.

Therefore, the complaint is hereby dismissed in its entirety. Attached is "Dismissal and Notice of Rights," affording an opportunity for a private lawsuit. If you wish to pursue matter further in Federal District court, the lawsuit must be filed within 90 days of Notice's receipt.

In the interim, should questions arise regarding the aforesaid, kindly feel free to contact Investigator Ashraf Ahmed directly via telephone, (212) 336 – 3781.

Sincerely,

Kevin Berry
District Director


Date

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: **Helen So**
117 Birch Road
Staten Island, NY 10303

From: **New York District Office**
33 Whitehall Street
5th Floor
New York, NY 10004



On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

520-2016-02257

Ashraf Ahmed,
Investigator

(212) 336-3781

THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:



The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.



Your allegations did not involve a disability as defined by the Americans With Disabilities Act.



The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.



Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge



The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.



The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.



Other (briefly state)

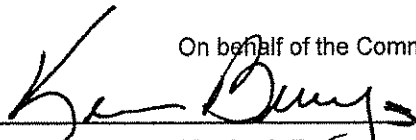
- NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit **must be filed WITHIN 90 DAYS of your receipt of this notice**; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

On behalf of the Commission



Kevin J. Berry,
District Director

5/3/2017
 (Date Mailed)

Enclosures(s)

cc:

CORPORATION FOR SUPPORTIVE HOUSING
61 Broadway
Suite 2300
New York, NY 10006

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

New York District Office
33 Whitehall Street, 5th Fl
New York, N.Y. 10004

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